



PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number	10/765,921
Filing Date	January 29, 2004
First Named Inventor	Alexander T. SCHWARM
Art Unit	2125
Examiner Name	S.P. Shechtman
Attorney Docket Number	007733 USA/FPS/MMCS/APC (107262.181 US1)

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Interview Summary
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<b>Remarks</b>	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	WILMER CUTLER PICKERING HALE AND DORR LLP		
Signature			
Printed name	Ketan Kadiwala		
Date	January 22, 2007	Reg. No.	57,725



Docket No.: 007733USA/FPS/MMCS/APC  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Alexander T. SCHWARM Confirmation No.: 2673

Application No.: 10/765,921 Art Unit: 2125

Filed: January 29, 2004 Examiner: S. P. Shechtman

Title: System, Method, And Medium For Monitoring Performance Of  
An Advanced Process Control System

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INTERVIEW SUMMARY**

Dear Sir:

Applicants thank the Examiner for the telephonic interview of December 18, 2006 with Ms. Mary Rose Scozzafava of our firm and the undersigned. In response to the interview summary mailed December 22, 2006 and in accordance with 37 C.F.R. § 1.133, Applicants submit the following summary of the interview:

Claims 1 and 5 were discussed in view of U.S Patent No. 6,259,959 issued to Martin, U.S. Patent No. 6,389,331 issued to Jensen et al, and U.S. Patent 3,982,440 issued to Groleau et al. Applicants argued that the current invention was not anticipated by the references because they failed to teach "receiving process performance data for the at least one static process output" as recited in claim 1, or either of a "model health index" and a "process health index" as recited in claim 5.

**AUTHORIZATION**

No fee is believed to be required, however, the Commissioner is hereby authorized to charge any fees necessary to deposit account no. 08-0219.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to deposit account no. 08-0219.

Respectfully submitted,

Dated: January 22, 2007

  
\_\_\_\_\_  
Ketan Kadiwala  
Registration No.: 57,725  
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP  
1875 Pennsylvania Ave. NW  
Washington, DC, 20006  
(202) 663-6000 (telephone)  
(202) 663-6363 (facsimile)